

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

MICHAEL AVENATTI,

Defendant.

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X

19-CR-374-1 (JMF)

NON-PARTY CLARK O. BREWSTER'S NOTICE OF MOTION TO QUASH  
DEFENDANT MICHAEL AVENATTI'S TRIAL SUBPOENA (THAT INCLUDES A  
DEMAND FOR DOCUMENTS)

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law in support, and the Declaration of Clark O. Brewster, Esq., non-party Clark O. Brewster, pursuant to Fed. R. Crim. P. 17, the jurisprudence in this circuit on that rule, and *Nixon v. United States*, 418 U.S. 863 (1974), will move this Court, before the Honorable Jesse M. Furman at the United States Court House, Thurgood Marshall United States Courthouse 40 Foley Square. New York, NY 10007, for an Order quashing Defendant Michael Avenatti's trial subpoena (which includes a demand for documents). Non-party Brewster will move the Court to find that the subpoena violates Rule 17 and *Nixon*.

Respectfully submitted,

/s/ Clark O. Brewster

Clark O. Brewster, OBA # 1114

***Pro Hac Vice applied for and pending***

Brewster & DeAngelis, PLLC

2617 East 21<sup>st</sup> Street

Tulsa, OK 74114

[CBrewster@brewsterlaw.com](mailto:CBrewster@brewsterlaw.com)

Phone: (918) 742-2021

Fax: (918) 742-2197

CERTIFICATE OF SERVICE

I hereby certify that on January 18, 2022, I electronically transmitted the foregoing document using the ECF System for filing and transmittal of a Notice of Electronic Filing to all ECF registrants who have appeared in this case.

/s/ Clark O. Brewster